

REMARKS

Claims 1-26 and 37-47 are currently pending in the subject application. All of the claims have been examined: claims 1, 2, 6, 8, 10-20, 23, 26, and 38-43 stand rejected, claims 3-5, 7, 9, 21, 22, 24, 25, and 37 are indicated as containing allowable subject matter, and claims 44-47 are indicated as allowable. Claims 27-36 have been canceled by previous amendment. Favorable reconsideration of the application and allowance of all of the pending claims are respectfully requested in view of the above amendments and the following remarks.

Applicants thank the Examiner for indicating that claims 44-47 are allowable and that claims 3-5, 7, 9, 21, 22, 24, 25, and 37 contain allowable subject matter. Additionally, Applicants wish to thank the Examiner for the courtesies extended during the personal interview with the undersigned on December 4, 2003 (a summary of the interview is contained herein).

In the Office Action of September 10, 2003, the Drawings were objected to as failing to show every feature of the claimed invention - the "seat portion connector" and the "lower frame connector" as these phrases previously appeared in the claims. The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter (the "seat portion connector" and the "lower frame connector"). Claim 41 was objected to for referring back to itself.

Claims 16-26 and 38-43 were rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claim 16 and the claims that depend therefrom were rejected for using the term "bends" which the Examiner believed lacked proper antecedent basis. Claim 38 and the claims that depend therefrom were rejected for using the phrases the "seat portion connector" and the

“lower frame connector.” The Examiner believed that these terms were unclear. All of these terms and phrases have now been replaced.

Claims 1, 2, 6, 8, 10-12, and 15 stand rejected under 35 U.S.C. §102(b) as being anticipated by Riback (U.S. Patent No. 5,451,095). Claims 16-20, 23, and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by Miga, Jr., et al. (U.S. Patent No. 5,460,430). Claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Riback (U.S. Patent No. 5,451,095) in view of Huang (U.S. Patent No. 5,507,564).

Paragraphs 0030, 0034, and 0040-0042 of the specification have been amended herein for consistency and clarity. No new matter has been added by these amendments.

As discussed during the personal interview conducted December 4, 2003, the claims have been amended to more clearly distinguish the presently claimed invention from the cited prior art. Specifically, independent claim 1 has been amended to more clearly define the characteristics of the pivot (as shown in an exemplary manner in Figs. 1, 4, 5, and 6) on the lower frame (that portion of the frame including a supporting surface contacting portion). None of the prior art of record, alone or in combination, teaches or suggests the claimed pivot structure. For at least this reason, independent claim 1 and all of the claims that depend therefrom should be in condition for allowance.

As also discussed during the personal interview conducted December 4, 2003, independent claim 38 has been amended to more clearly define the characteristics of the lower frame connector (as shown in an exemplary manner in Figs. 1, 4, 5, and 6) on the lower frame (that portion of the frame that is adapted to contact the supporting surface). The lower frame connector allows for the claimed movement of the left and right L-shaped members of the lower frame between the assembled and disassembled configurations. None of the prior art of record,

alone or in combination, teaches or suggests the claimed lower frame connector. For at least this reason, independent claim 38 and all of the claims that depend therefrom should be in condition for allowance.

Additionally, the amendments to independent claim 16 were discussed during the December 4, 2003, interview. Claim 16 has been amended to more clearly define that the second frame member includes a loop pivotally coupled about the curved portions of the first frame member. As claimed, this structural recitation allows the second frame member to be rotated between a deployed position in which the second frame member provides a seat support and a folded position in which the second frame member is substantially co-planar with the first frame member. None of the prior art of record, alone or in combination, teaches or suggests the claimed structure. For at least this reason, independent claim 16 and all of the claims that depend therefrom should be in condition for allowance.

Finally, as also discussed during the December 4, 2003, interview, independent claim 44 (previously indicated as allowable) has been amended for clarity and consistency. Thus, independent claim 44 and all of the claims that depend therefrom should remain in condition for allowance.

As expressed by the Examiner during the personal interview conducted December 4, 2003, the amendments contained herein appear to put this application in condition for allowance. Accordingly early allowance of pending claims 1-26 and 37-47 is respectfully requested. However, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to call the undersigned directly at (240) 864-2424 to discuss any unresolved issues and to expedite the allowance of the application.

Dated: December 10, 2003

EDELL, SHAPIRO & FINNAN, LLC
CUSTOMER NO. 27896
1901 Research Boulevard, Suite 400
Rockville, MD 20850
(301) 424-3640

Respectfully submitted by
EDELL, SHAPIRO & FINNAN, LLC

By:

A handwritten signature in black ink, appearing to read "Howard R. Richman", written over a horizontal line.

Howard R. Richman
Reg. No. 41,451